

REMARKS

It is requested that this amendment be entered since it places the claims in condition for allowance and/or reduces the issues on appeal.

Claims 1-34, 36-42, 44 and 45 have been cancelled. The subject matter of claims 36-38 has been incorporated in claim 35. The dependency of claim 43 has been amended and claim 46 is retained as previously amended. Original claims 47-50 are retained without change.

Independent claim 35 is directed to a wetness indicator comprising first and second ink layers wherein at least one of the ink layers comprises a polymer matrix containing a pH indicating agent and a fluid regulating additive. Independent claim 47 is directed to a wetness indicating ink composition comprising a polymer, a pH indicating agent and a fluid regulating additive.

For the examiner's convenience, it is noted that support for the claims presently of record is found throughout the specification and drawings. However, particularly relevant disclosures are cited below.

Initially, the examiner's attention is directed to the paragraph bridging pages 3 and 4 of the specification which discloses that the fluid regulating additive and the pH indicating agent may be contained in same layer. The

pertinent pH indicating agents and fluid regulating additives are described beginning at page 4, line 10 through page 5, line 3. The use of ink layers containing both a pH indicating agent and a fluid regulating additive is described in paragraph bridging pages 8 and 9 of the specification.

Arrangements of various layers, which may comprise ink layers, are described and shown in the drawings including the wetness indicator 70 of Fig. 8. The indicator 70 includes indication layer 74 which comprises a layer of pH indicating printing ink and an adjacent ink layer 72. (Page 14, lines 24-32.)

Pertinent ink compositions are set forth in Formulations 2, 3 and 4 at page 17 on the specification. The printing ink compositions contain both pH indicating agent and fluid regulating additive. In the paragraph bridging pages 17 and 18, illustrative resins that may form the polymer matrix in the ink are described.

The matters set forth in the Office action are discussed below the same order as presented by the examiner.

The objection to claim 3 is rendered moot by its cancellation.

Referring to item 4, the objection to the specification under 35 USC 112, first paragraph, is overcome. More

particularly, the invention now claimed is described in the specification as discussed above. The disclosure and the illustrative ink formulations enable one skilled in the art to provide the wetness indicator of claim 35 or the ink compositions of claim 47. Similarly, the further details set forth in the dependent claims are also fully illustrated in the specification.

The rejection of claims 15, 17, 28 and 41 under 35 USC 112, first paragraph, are rendered moot by the cancellation of such claims.

Referring to items 6 and 7 of the Office action, the rejections under 35 USC 112, second paragraph, are moot by claim cancellation or amendment. Claim 35 is clarified by amendment to confirm that the first and second layers are ink layers and that at least one of the layers contains both pH indicating agent and fluid regulating additive. The pH indicating agent is a distinct component of the ink and the role of the ink is to provide a layer that may be used by itself or in combination with an additional layer to indicate the pH of the environment to be monitored. For example, Figs. 8 and 9 show multiple ink layers and their use in a diaper application.

The rejection of the claims under 35 USC 102(b) as anticipated by or, in the alternative, under 35 USC 103(a)

as obvious over any of the references cited in item 11 of the Office action is overcome by the foregoing claim amendments. None of the cited references alone or in combination teach or suggest a two ink layer wetness indicator, with at least one layer containing both pH indicating agent and fluid regulating additive, as set forth in claim 35 or an ink composition containing both pH indicating agent and fluid regulating additive as set forth in claim 47.

For all of the foregoing reasons, all of the claims of record are in condition for allowance and such action is requested.

If there are any fees required by this communication, please charge the same to Deposit Account No. 16-0820, Order No. 36554US1.

Respectfully submitted,

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